

# Vaccination Acts (Ireland) Amendment Bill.

[AS AMENDED IN COMMITTEE.]

## ARRANGEMENT OF CLAUSES.

### Clause.

1. Short title.
2. Extent of Act.
3. Parents and guardians of children to have such children vaccinated within three months after birth.
4. Provision for inspection of vaccination.
5. Certificate of successful vaccination to be transmitted to the registrar, and duplicate given to the parent.
6. Rate of payment for successful cases of vaccination.
7. Legal proceedings.
8. Penalty on vaccinator and parent neglecting to transmit certificate, and persons signing false certificates.
9. Notice not to be proved by prosecutors. Certificates to be defence.
10. Power to guardians of poor to direct proceedings, and remuneration of medical officers of dispensary districts.
11. Transmission to the medical officer of list of births and deaths.
12. Interpretation.
13. Repeal.

### SCHEDULES.

## A

## B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the Acts relating to Vaccination in Ireland. A.D. 1879.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

5 1. This Act may be cited as the Vaccination Amendment (Ireland) Act, 1879.

2. This Act shall apply to Ireland only.

Extent of Act.

3. The father or mother of every child born in Ireland after the passing of this Act, or in the event of the death, illness, 10 absence, or inability of the father and mother, then the person who shall have the care, nurture, or custody of the said child shall, within three months after the birth of such child, or as soon afterwards as may be practicable, take or cause to be taken the said child to the medical officer of the dispensary district in which the 15 said child is resident for the purpose of being vaccinated, unless he shall have been previously vaccinated by some duly qualified medical practitioner, and the vaccination duly certified; and the said medical officer shall and he is hereby required thereupon, or as soon after as it may conveniently and properly be 20 done, to vaccinate the said child: Provided that in the vaccination of children who are inmates of the workhouse or other public or charitable institution the master, matron, or chief officer of the workhouse or other such institution shall take the steps required to be taken under the provisions of this Act 25 by the father or mother of the child, or other person having the care, nurture, or custody thereof. The father or mother or other person having the care, nurture, or custody of any child born elsewhere than in Ireland, but brought into Ireland after the passing of this Act without having been vaccinated, shall be under

Parents and  
guardians of  
children to have  
such children  
vaccinated  
within three  
months after  
birth.  
Sect. 1 of  
22 & 23 Vict.  
c. 22.  
20 & 21 Vict.  
c. 24. s. 16.

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the same obligation to have such child vaccinated as if the child had been born in Ireland on the day on which he was brought into Ireland.

Provision for inspection of vaccination.

Sec. 5 of

36 & 37 Vict.

c. 22.

30 & 31 Vict.

c. 24, s. 17.

4. Upon the same day of the week following the day on which any child has been vaccinated as aforesaid, the father or mother, or other person having the care, nurture, or custody of the said child, shall again take or cause to be taken the said child to the medical officer by whom the operation was performed, in order that such medical officer may ascertain by inspection the result of such operation, and, if he see fit, take from such child lymph for the performance of other vaccinations; and in the event of the vaccination being unsuccessful, such parent or other person shall, if the medical officer so direct, cause the child to be forthwith again vaccinated and inspected as on the previous occasion.

Certificates of successful vaccination to be transmitted to the registrar, and duplicate given to the parent.

Sec. 3 of

36 & 37 Vict.

c. 22.

30 & 31 Vict.

c. 24, s. 21.

5. Upon and immediately after the successful vaccination of any child the medical officer or practitioner who shall have performed the operation shall deliver to the father or mother of the said child, or to the person who shall have the care, nurture, or custody of the said child, a certificate under his hand, according to the form in the first schedule to this Act marked (A.), that the said child has been successfully vaccinated, and shall also transmit a duplicate of the said certificate to the registrar of births and deaths of the district within which the birth was registered; but if after due inquiry such district is not known to the medical officer or practitioner, or if the birth of the child has not been registered, to the registrar within whose district the operation has been performed; and such certificate shall, without further proof, be admissible as evidence of the successful vaccination of such child in any information or complaint which shall be brought against the father or mother of the said child, or against the person who shall have had the care, nurture, or custody of such child as aforesaid, for non-compliance with the provisions of this Act: Provided that if the medical officer of any dispensary district is also the registrar of births and deaths of that district, it shall be sufficient for him to sign one certificate, to be delivered to the father or mother or other person as aforesaid, and to register the fact of such vaccination in the manner provided by the Vaccination (Ireland) Acts.

Rate of payment for unsuccessful cases of vaccination.

Sec. 5 of

36 & 37 Vict.

c. 22, repealed.

6. And whereas by the fifth section of the Act of the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter fifty-two, it is provided that the board of guardians shall pay to the medical officer of each dispensary district, in addition to any salary or allowance payable to him, the sum of one shilling for every

person successfully vaccinated by him: Be it enacted, that the said section shall be and is hereby repealed; and the board of guardians shall pay to every such medical officer for every person successfully vaccinated or every person revaccinated by him within 5 his dispensary district, after the passing of this Act, the sum of two shillings, provided that the said medical officer shall have made the report to the committee of management, regarding the persons so successfully vaccinated, which is required by the Act of the session of Parliament held in the twenty-first and twenty-second years of 10 the reign of Her present Majesty, chapter sixty-four.

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7. Every person who prevents any dispensary medical officer from taking from any child lymph, as provided by section four of this Act, shall be liable, on summary conviction, to pay a penalty not exceeding twenty shillings.

Legal proceedings.  
Sect. 10.  
s. 24 & 25 Vict.  
c. 24. English Act.

15 The defendant in any proceedings under the Vaccination (Ireland) Acts may appear by any member of his family, or any other person authorised by him in this behalf.

Sect. 11 of  
s. 24 & 25 Vict.  
c. 24. English Act.

Where any parent or other person having the custody of a child fails to produce such child when required so to do by any summons 20 under the said Acts, such parent or other person shall be liable, on summary conviction, to a penalty not exceeding twenty shillings.

Sect. 11 of  
s. 24 & 25 Vict.  
c. 24. English Act.

Every parent or person having the custody of a child who neglects to take such child or to cause it to be taken to be vaccinated, or after vaccination to be inspected, according to the provisions of 25 the Vaccination (Ireland) Acts, and does not render a reasonable excuse for his neglect, shall be guilty of an offence, and be liable to be proceeded against in a summary manner, and upon conviction shall be liable to a penalty not exceeding twenty shillings.

s. 24 & 25 Vict.  
c. 24. English Act.

8. Every medical officer, parent, or person, as the case shall 30 require, who shall neglect to transmit any certificate required of him by the provisions of the Vaccination (Ireland) Acts, completely filled up and legibly written, to the registrar within the time specified by the said Acts, and every medical officer who shall refuse to deliver the duplicate to the parent or other person, 35 on request, or who shall refuse to fill up and sign the certificate of successful vaccination, shall be liable to pay upon a summary conviction a penalty not exceeding twenty shillings; and every person who shall wilfully sign a false certificate or duplicate under this Act shall be guilty of a misdemeanor, and punishable 40 accordingly.

Penalty on  
medical officer and  
parent neglecting  
to transmit  
certificate, and  
parent signing  
false certificate.  
Sect. 20 of  
s. 24 & 25 Vict.  
c. 24. English Act.

9. In any prosecution for neglect to procure the vaccination of a child it shall not be necessary in support thereof to prove that

Notice not to  
be proved by  
prosecution.  
Certificates to  
be defence.

A.D. 1879. the defendant had received notice from the registrar or any other officer of the requirements of the law in this respect; but if the defendant produce any such certificate as herein-before described, or the register of vaccinations kept by the registrar, in which the certificate of successful vaccination of such child shall be duly entered, the same shall be a sufficient defence for him, except in regard to the certificate marked B. in the first schedule to this Act, when the time specified therein for the postponement of the vaccination shall have expired before the time when the information shall have been laid. 10

Power to grant  
leave of pa-  
rliament to  
direct pro-  
ceedings, and  
remuneration  
of medical  
officer of  
dispensary  
district.

Modification of  
sect. 13,  
34 & 35 Vict.  
c. 12.

10. The guardians of any union in Ireland may direct proceedings to be instituted for the purpose of enforcing obedience to the provisions of the Vaccination (Ireland) Acts. The medical officer of any dispensary district who may be required by the guardians of the union to attend and who shall attend at any such proceedings shall, in addition to his actual expenses, be entitled to receive for his remuneration for such attendance such sum, not exceeding one guinea for each day upon which his attendance shall have been required and given, as the court before whom the proceedings are had shall certify; and as to such remuneration and expenses, and all other expenses incurred in the prosecution, if the court is of opinion that they should be allowed, the justice or one of the justices shall ascertain and certify the amount thereof to the guardians of the said union, as set forth in Form C. in the first schedule of this Act, and such amount shall be payable out of the poor rates 25 of the union in which the neglect or default shall have arisen; and such proceedings on account of neglect to have a child vaccinated may be taken at any time during the continuance of the neglect.

Transmission  
to the medical  
officer of list  
of births and  
deaths.

Modification  
of sect. 5 of  
34 & 35 Vict.  
c. 95.

11. Every registrar of births and deaths for any place, not being the dispensary medical officer of the district, shall, once at least in 30 every month, transmit, by post or otherwise, to each dispensary medical officer whose district is wholly or partly comprised in such place, a return, certified under the hand of the registrar to be a true return, of all births and of all deaths of infants under twelve months of age, which have, since the date of the last return (or in 35 the case of the first return, since the passing of this Act), been registered by such registrar as having occurred in the district of the dispensary medical officer to whom the return is sent.

The registrar shall be entitled to a fee of twopence for every birth or death entered in such return; and such fee shall be paid to him 40 out of the same funds, and by the same persons, and in the like manner, as the fees for carrying out the provisions of the Registration of Births and Deaths (Ireland) Act.

The returns under this section shall be made in such form and contain such particulars as may be from time to time prescribed by the Registrar General of Births and Deaths in Ireland, with the approval of the Local Government Board for Ireland; and forms necessary for such purpose shall be supplied by the said Registrar General to every registrar of births and deaths.

12. The term "the Vaccination (Ireland) Acts" shall mean the Interpretation Act passed in the session of Parliament held in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter sixty-four, and the Act passed in the session of Parliament held in the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter fifty-two, and the Act passed in the session of Parliament held in the thirty-first and thirty-second years of the reign of Her present Majesty, chapter eighty-seven, and this Act.

13. The Act specified in the second schedule to this Act is Repeal. hereby repealed, to the extent specified in the third column of that schedule: Provided that this repeal shall not affect the past operation of any enactment hereby repealed, nor anything done or suffered under any enactment hereby repealed; nor any right, interest, obligation, or liability accrued or incurred under any enactment hereby repealed; nor any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; nor any investigation, legal proceeding, or remedy in respect of any such right, interest, obligation, or liability as aforesaid.

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## SCHEDULES referred to by this Act.

## FIRST SCHEDULE.

## FORM (A.)

I, the undersigned, hereby certify that the child  
 of of aged in the county 5  
 of has been successfully vaccinated by me.

Dated this day of 18 .

(Signed) A.B.,  
 Medical officer of the dispensary district  
 (or other medical practitioner, as the case may be). 10

## FORM (B.)

I, the undersigned, hereby certify that I am of opinion that  
 the child of of in the county  
 of aged is not now in a fit and proper state to  
 be successfully vaccinated, and I do hereby postpone the vaccination 15  
 until the day of .

(Signed) A.B.,  
 Medical officer of the dispensary district  
 (or other medical practitioner, as the case may be).

## FORM (C.)

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To the guardians of the Union.

I one of the justices of the peace presiding at  
 petty sessions at , hereby certify, under the pro-  
 visions of the Vaccination (Ireland) Acts, that the expenses herein  
 set forth have been this day incurred at the prosecution of certain 25  
 persons for an offence against said Acts.

Fee to dispensary medical officer for attending as a witness, £

Expenses of medical officer - - - - £

Other expenses - - - - £

(Signed)

Justice of the peace.

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## SECOND SCHEDULE.

Section and Chapter.	Title.	Extent of Repeal.
26 & 27 Vict. c. 52.	An Act to further extend and make compulsory the practice of vaccination in Ireland.	Sections one, two, three, five, and thirteen.

Vaccination Acts  
(Ireland) Amendment

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2.

**B I L L**

[AS AMENDED BY COMMITTEE]

To amend the Acts relating to Vaccination in Ireland.

*(Signed and Approved by  
Mr. Justice Leader and Mr. Justice General for  
Ireland.)*

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*Ordered, by The House of Commons, to be Printed,  
20 April 1879.*

[Bill no. 1]

Order B no.